IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

FRIDAY, THE 15TH SEPTEMBER 2006 / 24TH BHADRA 1928

Bail Appl..No. 4980 of 2006(V)

CRIME NO.195/2006 OF VIZHINJAM POLICE STATION

PETITIONER/ACCUSED:

VIJAYAN, KALLUVILA ROADARIKATHU VEEEU,
PAYARUMMOODU P.O., TRIVANDRUM.

BY ADV. SRI.S.RAJEEV

RESPONDENTS: COMPLAINANT:

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR,
(CRIME NO.195/2006 OF VIZHINJAM POLICE STATION.)

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 15/09/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 4980/2006

DATED THIS THE 15TH DAY OF SEPTEMBER, 2006

O R D E R

The petitioner is before this Court, under Section 438 Cr.P.C., as he, along with another, was found in illegal possession of 1050 liters of spirit on 9.7.2006. The petitioner had escaped from the place at the time of raid, and he could not be arrested. Therefore, Vizhinjam police registered crime No.195/2006 of that police station, for the offence punishable under Section 55(a) and (i) of the Abkari Act. Hence this application, under Section 438 Cr.P.C.

2. I heard the arguments advanced by both sides. I had also perused the C.D file. Considering the materials that are placed before me, I direct the petitioner to surrender before the Investigating Officer of crime No.195/2006 of Vizhinjam police station on 22.9.2006 between 9.30 a.m and 10.00 a.m.

3. The Investigating Officer shall interrogate the

petitioner and thereafter, produce him before the Court below, as per the law. On production of the accused by the Investigating Officer, the learned Magistrate shall proceed with the matter, after hearing both sides and considering the application(s), if any, filed by either side, on merit.

The application is disposed of as above.

J.M.JAMES
JUDGE

mrcs